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TENNESSEE JUDICIAL WEIGHTED CASELOAD MODEL

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Appendix B-2 Tennessee Weighted Caseload Model (1997/1998 Filings and 1998/1999 Judicial Resources)

I. Introduction

State judicial leaders face continual challenges of effectively managing rising caseloads, disposing of court business without delay, and delivering quality service to the public. Two constant and recurring problems are inherent within these challenges: (1) objectively assessing the number of judges required to handle current and future caseloads and (2) deciding whether judicial resources are being allocated and used appropriately. In response to these multiple and sometimes conflicting challenges and problems, state judicial leaders are increasingly turning to more sophisticated techniques to provide quantitative documentation of judicial resource needs in the state trial courts. Assessing the judicial workload through the development of a weighted caseload model is a rational, credible, and practical method for determining the need for judges and judicial officers.

Currently Tennessee has no institutionalized, objective, or standardized methodology for quantitatively evaluating judicial workloads or for determining the most efficient and effective allocation of judicial resources throughout the state. However, Tennessee has made two previous attempts to institute a formula based on a weighted caseload methodology. In 1984 the Tennessee Legislature passed the Judicial Restructure Act that called for the Judicial Council to submit to both judiciary committees a weighted caseload formula by 1988 or no later than 1990. The first attempt was based on a survey approach. In 1985 the judges were asked to determine the amount of time required to hear different case types and the amount of time a typical judge had available for hearing cases. A preliminary formula based on the survey results showed that the judicial estimates of time were not reliable and that the accuracy of the Tennessee Justice Information System (TJIS) needed to be improved. This first attempt stalled in 1986 after an unsuccessful effort to conduct a small-scale time-study (12 judges keeping time records for two weeks), but improvements were made to the TJIS system to enhance the accuracy of the reporting data. The development of a weighted caseload formula was revisited in 1988 and a two-year extension until February 1992 was granted by the legislature to submit a formula to determine the need for additional judges in judicial districts. The second attempt determined case weights by having judges estimate the percent distribution of cases falling into a range of minimum and maximum judicial involvement for each case type. Efforts also were made to improve the accuracy and uniformity of the TJIS reports. This second attempt also fizzled.

A third attempt, the results of which are contained in this report, was begun in 1997. House Amendment 940 of the Appropriations Bill directed the Comptroller of the Treasury to conduct a study of the state judicial system. The study, which was to be conducted by the Office of Research, was mandated to compare caseloads and work assignments of public defenders and their assistants, district attorneys general and their assistants, and general jurisdiction trial judges. To this end, the Comptroller of the Treasury in May of 1998 retained the consulting services of the National Center for State Courts (NCSC) to conduct separate, but coordinated studies of the judicial, public defender, and district attorney general workloads and to provide the state of Tennessee with the means to accurately identify, analyze, and compare workloads, resource allocations, and needs throughout the state. The NCSC subcontracted with The Spangenburg Group to conduct the public defender weighted caseload study and with the American Prosecutors Research Institute to conduct the district attorneys general weighted caseload study. A steering committee composed of the Director of the Administrative Office of the Courts (AOC), the Executive Directors of the District Public Defender and District Attorney General Conferences, judges, district public defenders, district attorneys general, the state bar, and the legislature¹ was constituted by the state to assist the three consultant groups in conducting their respective studies.

The judicial weighted caseload study was designed to measure the workload of the general jurisdiction trial courts in Tennessee. The general jurisdiction trial courts include the circuit court whose jurisdiction includes domestic relations, estates, civil, and criminal cases (85 judges as of September 1, 1999); chancery court whose jurisdiction includes domestic relations, estates, and civil cases (33 judges² as of September 1, 1999); probate court whose jurisdiction includes estates (2 judges as of September 1, 1999); and criminal court whose jurisdiction is criminal cases (31 judges as of September 1, 1999). The scope of the judicial weighted caseload study does not include the Tennessee limited jurisdiction courts; juvenile, general sessions, and municipal.

¹ The committee members were Charles Ferrell (AOC Director) (resigned), Hon. Robert Childers (30th District), Hon. Steve Daniels (16th District), Hon. John Maddux (13th District), Pat McCutchen (Executive Director of the District Attorneys General Conference) (deceased), Torry Johnson (General 20th District), Greeley Wells (General 2nd District), Paul Phillips (General 8th District), Andy Hardin (Executive Director of the District Public Defenders Conference), Mack Garner (PD 5th District), Guy Wilkinson (PD 24th District), George Googe (PD 26th District), Allan Ramsaur (Deputy Executive Director of the Tennessee Bar Association), Representative Frank Buck, Senator Curtis Person, Pat Miller (Lt. Gov. Wilder's Office), Jim Shulman (Speaker Naifeh's Office) and Dr. Philip Doss (Comptroller's Office).

² In this report, the term judges includes chancellors.

This report details the methodology of the Tennessee judicial weighted caseload study and presents a weighted caseload model for the 31 Tennessee judicial districts. Specific objectives of the judicial weighted caseload study are as follows:

- To conduct a quantitative evaluation of judicial resources on a statewide basis.
- To provide accurate, easily understandable criteria to assess the need for additional judicial resources.
- To provide a valid method for allocating judicial resources among the state's judicial districts.
- To provide a mechanism for self-evaluation of judicial performance within each district on a statewide basis.
- To measure the effect of changes in case filings for individual case types or case processing procedures on the need for judicial resources.

II. Overview of a Weighted Caseload Model

State courts vary in complexity. Different types of cases require different amounts of time and attention from judges, other judicial officers, and court support staff. Focusing on raw case counts without allowing for differences in the amount of work associated with each case type creates an opportunity for the misperception that equal numbers of cases filed for two different case types result in an equivalent amount of work for the court. For example, a typical criminal felony case has a much greater impact on the resources of a court than a traffic case. Furthermore, certain other case types, such as domestic relations cases involving minor children and juvenile abuse and neglect, may require continued judicial attention over a long period of time.

Weighted caseload is a resource assessment methodology that is being adopted by an increasing number of states to determine the need for judges and other judicial officers. The method “weights” cases to account for the varying complexity and need for judicial attention among court cases. By weighting court cases, a more accurate assessment can be made of the amount of judicial time required to process court caseload, i.e., the judicial workload. Moreover, weighted caseload models have the advantage of providing objective and standardized assessments of judicial resource needs among judicial districts that vary in population and caseload.

The core of the weighted caseload model is a time-study in which judges keep track of the amount of time they spend on the various case types. When the time-study data is joined with disposition data for the same time period, it is possible to construct a “case weight” for each case type. The case weights represent the average bench and non-bench time (in minutes) required to reach a disposition for each case type. Applying the case weights to current or projected case filing numbers results in a measure of judicial workload. When the workloads are divided by the amount of time available per judicial officer, an estimate of judicial resource requirements results. This approach, which involves few complicated procedures, is sufficiently rigorous to measure resource needs and evaluate resource allocations.

It is important to remember that even the most widely used and accepted resource assessment techniques, including the weighted caseload model, will not objectively determine the *exact* number of judges needed to stay current with caseloads. No quantitative resource assessment *model* by itself can accomplish that goal. Instead, a quantitative model can only *approximate* the need for judicial resources and provide a benchmark for comparison among judicial districts. The results can then be used in concert with other considerations, including budget constraints, population trends, and other more qualitative, court-specific factors that may differentially affect the need for judicial resources statewide. For example, based on the number of case filings the model may estimate that a rural, less densely settled district may need fewer judicial FTE than are currently there. This quantitative estimate needs to be tempered with the knowledge that a rural court has more scheduling gaps than an urban court for a variety of reasons. This type of qualitative factor is not taken into consideration in the quantitative model and policymakers must be cognizant of this.

III. Methodology

This section of the report describes the disposition-based methodology of a weighted caseload study. The following section (Section IV) describes the assumptions made and the tailoring of the disposition-based methodology to the Tennessee judicial system.

A. Steps in the Model

The NCSC project team used the disposition-based weighted caseload algorithm to construct the Tennessee judicial weighted caseload model. The disposition-based model is a very straightforward model. The steps are described below.

- *Step 1: choice of representative sample districts* - as a rule only a sample of districts participate in the study and the results are then extrapolated to the rest of the state. The sample chosen must be representative of the state as a whole.
- *Step 2: categorization of case types and event* - all the case types used in the state must be collapsed to fewer categories to facilitate reporting and ensure that enough data on various case types will be reported to avoid sampling error. Also procedural events within a case type must be identified.
- *Step 3: decision of study length* – how long a reporting time will be required to ensure that enough time-study and disposition data will be gathered for the various case types so that sampling error will not be a problem.
- *Step 4: time-study* - judges keep track of the amount of time they spend processing the different case types for a specific period of time.
- *Step 5: disposition count* - the number of dispositions for the different case types are counted for the same period of time.
- *Step 6: construction of the case weights* – the total number of minutes spent on processing each case type is divided by the total number of dispositions for the case type. The result are the case weights, the average number of minutes needed to process the different case types.
- *Step 7: filings count* – the number of filings for the different case types are counted for a year's worth of time for each district.
- *Step 8: calculation of the workload* – the case weight for each case type is multiplied by the number of filings for that case type to determine the workload of each district, the amount of judicial resource time required to process the caseload.
- *Step 9: determination of the judge year value* – the average amount of time in minutes a judge has available during the year to process his or her workload.
- *Step 10: judicial resource count* - the number of judicial resources, including judges and judicial officers, are counted for each district.

- *Step 11 - calculation of judicial resource needs:* the workload for a district is divided by the judge year value to determine the number of judicial resources needed to process the workload of the district.
- *Step 12 - comparison of actual judicial resources and estimated judicial resources required -* the number of judicial resources required to process the caseload of a district is subtracted from the number of judicial resources currently in the district. A positive difference shows that there are more judicial resources than needed and a negative difference shows that there are fewer judicial resources than needed.

Although the steps in a weighted caseload algorithm are straightforward and do not require any calculations beyond arithmetic, there are hidden pitfalls and assumptions that must be addressed to ensure a valid model. The confidence in conclusions drawn from any research endeavor depends on the adequacy and accuracy of the data collected to support the research. For example, different districts across the state may count filings and dispositions differently. One district may count all charges against one defendant filed on the same day as one filing (and hence one disposition), while another district may count each charge as a separate filing (and hence separate dispositions). The way of counting filings and dispositions across a state must be standardized before the weighted caseload model can be constructed to ensure that apples and apples are being compared and not apples and oranges.

Also, there are many assumptions made about the judge year value, the average amount of time a judge in the state has available to process his or her workload. It is necessary to determine the average amount of time a typical judge takes for vacation, illness, and conferences before you can construct the model. Usually these numbers are not readily available because judges are not allotted a set amount of days for vacation and illness, or even told how long a day they should work, as are other state employees. Instead the amount of time in a judge year must be estimated accurately.

B. Step 1 – District Sampling

Tennessee has 31 judicial districts encompassing 95 counties. To ensure a coordinated weighted caseload effort for the three groups, it was decided that the same districts would be sampled for each of the three studies; judicial, public defender, and district attorney general.

Sampling criteria were shared with the steering committee and they chose twelve representative districts to be sampled in three categories that they labeled *urban*, *transitional*, and *rural*. The steering committee later expanded the categorization to the other 19 districts. The sampling criteria the steering committee used is listed below:

- Variability in size of district (number of judges).
- Variability in urban vs. rural districts.
- Variability in geographic location within the state.
- Variability in travel requirements.
- Variability in specialization or distinct division of labor.
- Avoidance of districts that had a large turnover of judges, the public defender, or the district attorney general in the August 1998 elections.
- Desire of the judges, public defenders, and district attorney generals to participate.

C. Step 2 - Case Type and Case Event Categorization

The Tennessee circuit, criminal, and chancery courts report 43 different case types to the Administrative Office of the Courts. The steering committee in conjunction with the three consultant groups categorized the case types to a more manageable number. The more categories of case types that are included in a weighted caseload study, the larger the data samples need to be to guarantee statistical validity. Efforts were made to include enough categories of case types to develop realistic and reasonable case weights, while minimizing the burden and costs associated with the judicial time-study. The criteria that guided the case type categorization was to aggregate case types of similar type and complexity that are processed in a similar manner in terms of judicial time within one category. It was recognized that it would not be possible for all three groups (i.e., judges, district public defenders, and district attorneys general) to have identical case types, but an effort was made to ensure comparability across the three groups. For example, the judicial felony category comprised several of the public defender and district attorney general categories. The steering committee also categorized both bench procedural events (e.g., pretrial hearings/motions, bench trials/juvenile adjudications) and non-bench events (e.g., case-related administration, travel) into fewer categories.

D. Step 3 - Length of Study Period

The length of the time for the time-study portion of the study is a function of the number of districts participating, the number of judges participating, the number of case types being measured, and the volume of filings.

An important point to remember is that the study period is a *snapshot in time*. There is no attempt made in a weighted caseload study to follow specific cases from filing to disposition. Rather, the disposition-based weighted caseload methodology is designed to take a snapshot of court activity and compare the *input* of judicial time to the *output* of case dispositions. Keeping data collection to a specified time period means few cases will actually complete the journey from filing to disposition during the study period. Yet, because the focus of the study is on measuring the time spent on procedural events, it is not necessary to actually track any given case from start to finish. What is necessary is gathering time data on all events that might occur in different types of cases in proportion to their actual occurrence.

Each participating district processes a number of each type of case to be weighted in varying *stages* of the case life cycle (i.e., some particular types of cases are in the pretrial phase, other similar types of cases are in the trial phase, while still others of the same type of case are in the post-trial stage). Moreover, if the study period is representative, then the mix of new, trial, and post-judgment activities conducted for each type of case as well as the time devoted to each type of event will be representative of the type of work entering the court throughout the year. Therefore, the study period provides a direct measure of the amount of judicial time devoted to processing each type of case to be weighted over the life of the case. The time-study is a composite of separate (though likely similar) cases observed at various points in the case life cycle.

E. Step 4 - Time-Study

The time-study is the core of a weighted caseload study and the participating judges collect the data as they work throughout the day. The judges record the time spent on various events (by case type if possible) on an optically scannable recording form, one form per case type/event (identical events with the same case type can be aggregated on one form). For example, time spent on a felony bench trial on a day would be recorded on one form and time spent traveling to the felony bench trial would be recorded on another form. All time spent on judicial matters throughout the day or in the evening or weekend at home is to be recorded. Judicial matters include both bench

and non-bench time processing cases, case-related administration, non-case related work, and travel time between courthouses for a circuit riding judge. Non-case related work is a catch-all category and includes legal research and writing time that cannot be attributed to a specific case, staff meetings, general office and administrative tasks, and other judicial duties such as speaking at the local high school on Law Day.

F. Step 5 - Disposition Count

An accurate count of dispositions is crucial to the construction of a valid weighted caseload model when using disposition-based methodology. The number of dispositions can be collected several ways; by the judges themselves during the time-study, by the clerks of court after the study period ends, or by the reports the clerks of court make to the administrative office of the courts. As with the filings, it is important to be sure that all districts in the state are counting the dispositions in the same way to ensure that you are comparing apples and apples in the final model. The preferred counting method is to use the disposition counts reported by the clerks to the state AOC if all districts are reporting the same way.

G. Step 6 - Case Weight Construction

Case weight construction occurs after all recording forms have been scanned into a database and the database has been checked for inconsistencies and errors. The total number of minutes per case type for all the judges are summed and the resulting number of minutes is divided by the number of dispositions for that case type. The result is called the case weight, the average number of minutes required to process each case type in the state. Case weight construction does not account for all the minutes recorded by the judges; non-case related work and travel time are not included in the case weight but are included in the determination of judge year value.

A question that needs to be addressed is how many different case weights per case type to calculate in a state. Often the state's larger courts have faster average processing times because of the inherent economies of scale that a larger court possesses. For example, a larger court can create specialized courts that can work more efficiently than unspecialized courts. Also, a smaller court with less activity is more prone to scheduling gaps and concomitant dead time than a larger court that has many defendants waiting to appear before the judge if one defendant does not appear. So, should a larger, i.e., faster, court have different case weights than the smaller courts in the state?

Guideline 9 in *Assessing the Need for Judges and Court Support Staff*³ recommends that a single set of case weights for judges within a state is preferable to multiple weights. However, one should evaluate differences in time requirements or case mix across courts of different sizes to determine if separate weights are needed. Another way to deal with differences engendered by economies of scale is to adjust the workloads of the districts to correct for the differences and use a single case weight.

H. Step 7 - Filings Count

The number of filings per district is used to both validate the model and apply the model to future scenarios. For example, the filings for the previous year are traditionally used to validate the model. The results can then be compared to the existing complement of judicial resources within each district to substantiate the accuracy of the case weights. The crucial question is: could all of the cases filed and disposed in the previous year have been processed according to the weights assigned? If the answer is affirmative, this lends considerable credence to the resulting case weights. If, however, the answer is negative, the case weights may need further revision. For example, if the model shows that a total of 25 more judges are needed to process last year's workload and last year's workload was processed with 25 fewer judges than estimated by the model, there is something wrong with one or more of the assumptions underlying the model.

Once the model is validated, the state can replace the previous year's filings numbers with actual or estimated filings numbers for future years to see where judicial resources are needed. For example, ten years of historic filings data by case type could be projected ten years into the future and the new filings numbers inserted into the model to see what changes ten years will bring in judicial resource needs. Or, if new legislation is contemplated that will, for example, change a class of misdemeanors to felonies, the additional time required to process the new workload and additional judicial resource requirements can be calculated. To provide realistic estimates of future judgeship needs, the weighted caseload model should be applied to projected filings by district.

³ V.E. Flango and B.J. Ostrom, *Assessing the Need for Judges and Court Support Staff*, National Center for State Courts (1996)

I. Step 8 - Workload Calculation

The workload⁴ calculation transforms the *caseload* (i.e., the raw filings count) into the *workload* (the number of minutes required to process the cases). The workload calculation is the sum of the product of the individual case weights times the number of filings for that case type. It is presented in minutes for each district.

J. Step 9 - Judge Year Value Determination

The judge year value is an estimate of the amount of time the *average* judge has available to process cases during the year. It is a subset of the amount of time that the average judge *works*. The judge year value reflects how much time is available to each judge to process the case-related events (both in court activities and in chambers case-related administrative activities) that are accounted for in the case weights. The calculation of judge year value is essentially a two step process: (1) determine the number of days actually available per year for judges to process cases and (2) determine the number of hours per day that judges spend on case-related work.

Many assumptions underlie the determination of the judge year value. To determine the number of days available to process cases, weekends, holidays, and time related to vacations, illness, and attendance at statewide judicial conferences, meetings, and seminars is subtracted from the calendar year. It is easy to determine the number of weekends and holidays in a year. It is more difficult to determine the average amount of time taken for vacation, illness, and judicial conferences. Because the study period may not be representative of the year as a whole, the steering committee is asked to estimate the average amount of time taken for vacation, illness, and judicial conferences.

To determine the number of hours in a day available to process cases, it is first necessary to determine how long a workday is expected of the judges and how long is taken on average for lunch and breaks. This information is usually obtained from the steering committee. Once that is determined, an average amount of time for travel and non-case related work also must be subtracted from the day because this time is not available to process cases. For example, a judge who has to travel two days a week to an outlying court loses time during those days that cannot be used to process the caseload. Information on the number of minutes spent on travel time and non-case

⁴ Note that the term *workload* is defined differently in the disposition-based methodologies employed by the three consulting groups.

related work is collected by the judges during the time-study. These data are then divided by the number of days worked to obtain an average amount of travel time and non-case related work.

Usually the amount of travel time recorded varies considerably among districts; a statewide average is not considered practical for purposes of calculating a judge year value. Instead the travel time for the different districts is analyzed and the times are aggregated into two or three categories of high or low travel or high, medium, and low travel. This average amount of travel time is then subtracted from the judge year value for each district. Because of travel time categories, there will be several different adjusted judge year values in the model.

Non-case related work is more likely to vary between presiding judges and non-presiding judges than among districts. If there is a difference between presiding judges and non-presiding judges on the amount of time spent on non-case related work, it is possible to calculate a weighted time which takes the time difference into consideration. This average amount of non-case related work time is also subtracted from the judge year value for each district.

K. Step 10 - Judicial Resource Count

The total number of judicial resources available to each district must be enumerated. Judicial resources include the number of full-time equivalent (FTE) judges (including chancellors) and also include any judicial officers that are available to assist in processing the judicial workload. Judicial officers can include magistrates, child support referees, special masters, clerk and masters that do judicial work, and any retired judges that are available to assist on an as needed basis. This information usually can be obtained from the administrative office of the courts.

L. Step 11 – Judicial Resource Needs Calculation

The number of judicial resources *needed* is calculated by dividing the adjusted workload of a district (the number of minutes required to process the cases) by the adjusted judge year value of a district (the average number of minutes a judge in that district has available to process cases). The result is the number of judicial FTE needed to process the workload of that district.

M. Step 12 – Comparison of Actual Judicial Resources vs. Required Judicial Resources

The last step is to compare the actual judicial resources measured in FTEs and the required judicial resources measured in FTEs as estimated by the model. By subtracting the required judicial

FTE from the actual judicial FTE by district, it is possible to see which districts appear to be *overjudged* (i.e., the difference is positive) and which districts appear to be *underjudged* (i.e., the difference is negative). This is only a beginning in deciding the judicial resource allocation across a state. The model needs to be interpreted by joining the knowledge from the quantitative model with qualitative knowledge of the unique characteristics of the state and qualitative knowledge of case processing, in general, to determine the judicial resource needs and allocation.

IV. Construction and Components of the Tennessee Weighted Caseload Model

This section of the report details the construction and components of the Tennessee weighted caseload model. There are two variations of the model shown in Appendix B of the report. The only difference between the model in Appendix B-1 and the model in Appendix B-2 is that the model in Appendix B-1 shows the number of judicial resources during the 1997/1998 fiscal year and the model shown in Appendix B-2 shows the number of judicial resources during the 1998/1999 fiscal year. The components are numbered on the model for clarification.

A. Sample Districts Chosen

The steering committee chose 13 representative districts from across the state to participate in the weighted caseload study. They categorized the 13 districts into urban (3 districts), transitional (4 districts), and rural (6 districts) districts. An urban district is defined as an established economic center, a transitional district is defined as a district that shows significant population gains and/or is a regional economic center, and the remaining districts are rural. One of the rural districts (District 31) was deleted from the sample before the study began due to the results of the August 1998 elections that caused a great deal of turnover. Table 1 below shows the final 12 districts in the study. The 12 districts represent 39% of Tennessee's 31 judicial districts and the 33 counties that comprise the 12 districts represent 35% of Tennessee's 95 counties. A map of the districts is included in Appendix A-1. The districts are listed on Line 1 of the model in Appendix B. The 12 sample districts are highlighted in the model.

Table 1. Representative Sample Districts

Category	District Numbers	Counties Included
Urban	6, 20, 30	Knox, Davidson, Shelby
Transitional	2, 16, 19, 26	(Sullivan), (Cannon, Rutherford), (Montgomery, Robertson), (Chester, Henderson, Madison)
Rural	4, 13, 22, 25, 29	(Cocke, Grainger, Jefferson, Sevier), (Clay, Cumberland, DeKalb, Overton, Pickett, Putnam, White), (Giles, Lawrence, Maury, Wayne), (Fayette, Hardeman, Lauderdale, McNairy, Tipton), (Dyer, Lake)

B. Categorization of Case Types and Events

The steering committee met on September 10, 1998 with representatives from the three consulting groups to decide the categorization of case types and case events. The 43 case types reported to the Tennessee Administrative Office of the Courts were collapsed into eight case types for the judicial weighted caseload study. The judicial case types are:

- **Civil** – includes contract/debt, damages, real estate matters, worker’s compensation, and miscellaneous general civil.
- **Domestic** – includes divorce, paternity, legitimization, adoption, order of protection, reciprocal support, contempt, custody/visitation/child support, wage assignment, and other domestic relations.
- **Civil Appeals** – includes appeals from all civil courts, i.e., appeals from general sessions and administrative hearings.
- **Probate** – includes probate, conservatorship, guardianship, trust, and judicial hospitalization.
- **Felonies** – includes all Felony A, B, C, D, E crimes and capital and 1st degree murder.
- **Misdemeanors** – includes all misdemeanors.
- **Criminal Appeals** – includes appeals from all criminal courts, i.e., appeals from juvenile court and general sessions.
- **Criminal Other** – defined as habeas corpus actions, extradition motions, and motions in criminal cases filed between courts.

During data analysis, civil appeals cases were included with the civil case type and criminal appeals cases were included with the criminal-other case type because of small numbers of dispositions during the study period. The case types are listed in rows 2 through 7 on the model in Appendix B.

The categorization of the judicial case events also was decided upon by the steering committee. The judicial case events are listed below.

- **Pre-Trial Hearings/Motions** – pre-trial hearings including preliminary hearings; pre-trial motions including bond modification; plea negotiations; arraignments; bond docket hearings and juvenile detention hearings.
- **Bench Trial/Juvenile Adjudication** – defined as a judicial examination and determination of issues between parties to an action, whether the issues be of law or fact, along with the formal giving or pronouncing of a judgment, adjudication, or decree in a court setting. Juvenile adjudication hearings are included in this category. A contested motion or hearing is not a bench trial.
- **Jury Trial** – defined as the elapsed time from when the judge takes the bench to the rendering of the verdict. This includes time waiting for the jury to return if that time is less than one-half day AND no other chargeable work was performed. Any chargeable time to other categories performed during this time is charged to the appropriate category. If time waiting for the jury to return exceeds one-half day, time is charged to the non-case administration category.
- **Adjudication/Non-Trial Disposition Hearings** – includes hearings where the disposition is a dismissal, guilty plea, or *nolle prosequi*.
- **Post-Trial/Adjudication/Disposition Hearings** – includes sentencing hearings; motions for judgment notwithstanding verdict; motions for a new trial; and post-conviction relief hearings.
- **Case-Related Administration** – includes legal research time for a specific case; preparing jury instructions; informal bond hearings; and informal conferences. Case-related administration is associated with a specific case type, but in some instances where case-related administration is performed for specific cases with several case types during a short period of time (returning phone calls over a half hour period), it need not have a case type.
- **Non-Case Administration** – includes legal research that cannot be attributed to a specific case; staff meetings and general office and administrative tasks; and various civic activities performed for work. This does not include time spent attending state and local committee meetings, continuing legal education and training, and attendance at conferences or seminars. These activities are subtracted from the Judge Year Value.
- **Travel** – defined as the amount of time spent traveling from one court to another, i.e., circuit riding. This does not include time commuting between home and office.

C. Study Period

The NCSC project team determined that six weeks of data collection would be sufficient based on their experience with weighted caseload studies in other states. The judicial data collection period started on Monday, October 5th and ended on Wednesday, November 25th, the day before the Thanksgiving break. This is a seven and one-half week period of time, but the first week of data collection was used as a “warm-up” period for the judges and the recording form data from this week were not included in the analysis. Rather, these forms were examined carefully by the NCSC project team for inconsistencies and follow-up telephone calls were made to judges. Also, the third week of the study was the time of the Tennessee Fall Judicial Conference and most judges did not work a full week.

D. Time-Study

The information needed for the time-study, i.e., case type, case event, whether there was a disposition, number of minutes, and volume was incorporated into a TELEFORM recording form. The TELEFORM is a computer generated form that was optically scanned by NCSC project staff. Also included on the form was identifying information (judge identification number, the county the work was performed in, and the date). A copy of the recording form is included in Appendix A-2. The NCSC project team held three judicial training sessions on September 29th (Knoxville), September 30th (Nashville), and October 1st (Memphis). Representatives from the Tennessee AOC trained judges who were not able to attend any of these three sessions on the time-study. A copy of the instructions given to the judges at the training sessions is found in Appendix A-3. An addendum to the instructions is found in Appendix A-4. During the third week of the study, NCSC project team members visited all the sample districts to answer any questions the judges had.

There was a high level of participation (92%) among the judges of the 12 districts. Recording forms for the entire study period were received from 79 judges. The table below shows the amount of participation by district. Data from a total of 10,986 time-study recording forms were analyzed to construct the case weights. These 10,986 recording forms recorded 34,299 events over the study period.

Table 2. Judicial Participation by District

District	# Judges Participating / Total #	Percentage Participating	Comments
2	4/4	100%	Plus Child Support Referee and Clerk Master
4	5/5	100%	Plus Child Support Referee
6	10/10	100%	Plus Child Support Referee, Clerk/Master and Retired Judge
13	3/5	60%	Plus Clerk/Master
16	5/5	100%	Plus Clerk/Master
19	4/4	100%	
20	15/15	100%	Plus Special Master and Clerk/Master
22	4/4	100%	
25	3/4	75%	
26	4/4	100%	
29	2/2	100%	
30	20/24	83%	Plus Child Support Referee
TOTAL	79/86	92%	

E. Number of Dispositions

Although the number of dispositions was recorded by the judges during the time-study, disposition data for the study period became available from the Tennessee AOC. It is these data that are used in the construction of the case weights. Although originally it was not thought possible to use the state's reporting data for the criminal cases because of different counting schemes for filings and dispositions across the state, a statistical analysis of the data by the Tennessee AOC made it possible to standardize the data. It was found that 98% of statewide criminal dispositions for FY 97-98 that were filed on the same date for a defendant were disposed on the same date.⁵ It was also found that 95% of statewide criminal dispositions for FY 97-98 that were disposed on the same date for a defendant were filed on the same date.⁶ Knowing that as a

⁵ Davidson County (96%), Knox County (98%), Shelby County (98%), and Sevier County (100%).

⁶ Davidson County (96%), Knox County (88%), Shelby County (83%), and Sevier County (97%).

rule, a judge would handle all of the charges against a defendant at the same time, it was possible to group a defendant's charges together into one package, called a judicial workload unit. A judicial workload unit was defined as a distinct defendant's name with a distinct disposition date or filing date. The most serious offense was assigned as the case type when there were multiple charges within a workload unit. This newly created judicial workload unit standardized the differences in disposition and filing counting across the state and allowed for comparison.

Table 3. Standardized Dispositions by District for the Period 10/12/98 to 11/25/98

Case Type	2	4	6	13	16	19	20	22	25	26	29	30	Total
Civil	100	167	614	125	183	174	1025	164	83	170	35	728	3568
Domestic	238	250	864	143	272	208	703	242	311	315	124	695	4365
Civil Appeals	5	16	1	7	7	14	112	15	5	4	1	181	368
Probate	87	19	177	19	1	43	196	26	69	11	23	138	809
Felonies	165	71	139	129	167	151	835	137	68	109	55	1253	3279
Misdemeanors	33	16	156	52	176	107	226	54	16	54	8	423	1321
Criminal Appeals	5	28	0	0	0	6	1	2	4	4	0	3	53
Criminal-Other	33	29	15	0	22	3	39	7	2	2	2	165	319

It was necessary to adjust the reported dispositions because not all districts had 100% judicial participation. Since not all judicial time was reported, it was not correct to calculate the case weight by dividing the number of minutes by the total number of dispositions. The three districts with less than 100% participation had their dispositions adjusted by the percentage of judicial participation. In District 13, only 60% of the dispositions were counted, in District 25, only 75% of the dispositions were counted, and in District 30, only 83% of the dispositions were counted. The adjusted disposition numbers used to calculate the case weights are shown below.

Table 4. Adjusted Dispositions for Calculation of Case Weights

Case Type	2	4	6	13	16	19	20	22	25	26	29	30	Total
Civil	100	167	614	75	183	174	1025	164	62	170	35	604	3373
Domestic	238	250	864	86	272	208	703	242	233	315	124	577	4112
Civil Appeals	5	16	1	4	7	14	112	15	4	4	1	150	333
Probate	87	19	177	11	1	43	196	26	52	11	23	115	761
Felonies	165	71	139	77	167	151	835	137	51	109	55	1040	2997
Misdemeanors	33	16	156	31	176	107	226	54	12	54	8	351	1224
Criminal Appeals	5	28	0	0	0	6	1	2	3	4	0	2	51
Criminal-Other	33	29	15	0	22	3	39	7	2	2	2	137	290

F. Case Weight Construction

The case weights were constructed by totaling the number of minutes recorded for a case type and dividing by the number of dispositions for the case type. The total number of minutes shown below includes a proportional distribution of the 19,110 case-related administration minutes for which no case type was recorded. The number of additional minutes of case-related administration to add was determined by the proportion of the case type. For example, if civil cases are 33% of the case type, 33% of 19,110 minutes were added to the total number of minutes reported for processing civil cases. The addition of the case-related administration minutes to the total number of minutes only added one or two minutes to each case weight. Table 5 below shows the calculation of the final case weights for the Tennessee weighted caseload. The case weights are found in the third column of the model on lines 2 through 7 in Appendix B. For example, an average civil case took 90 minutes of judicial time (both in-court and in-chambers time) to process and an average misdemeanor case took 30 minutes of judicial time to process.

Table 5. Case Weight Construction

Case Type	Total Minutes	# Dispositions	Case Weight
Civil	333,457	3706	90
Domestic	177,962	4112	43
Probate	49,097	761	65
Felonies	193,339	2997	65
Misdemeanors	36,138	1224	30
Criminal-Other	20,132	342	59

Case weights for the three categories of districts (urban, transitional, and rural) also were calculated and are shown in Table 6 below.

Table 6. Case Weights for Urban, Transitional, and Rural Districts

Case Type	Statewide* Case Weights	Urban Case Weights	Transitional Case Weights	Rural Case Weights
Civil	88	83	89	107
Domestic	42	37	46	50
Probate	63	77	54	22
Felonies	63	56	66	93
Misdemeanor	29	23	38	34
Criminal-Other	57	51	89	43

* Statewide case weights are not adjusted for case-related administration as they are in Table 5.

There is a difference in the amount of time required to process a case when the districts are categorized into urban, transitional, and rural. In general, it takes longer to process civil (29%), domestic (35%), felony (66%), and misdemeanor (48%) cases in the rural districts than the urban districts. An explanation for this large difference is that the higher volume of the urban districts affords them an economies of scale that allows them to process cases faster. Urban districts in Tennessee are also specialized into civil and criminal divisions that also may afford them increased efficiency in case processing. The opposite phenomenon seen in the probate case type may reflect an increase in probate case complexity in the urban districts as compared to the transitional and

rural districts. The lack of a pattern in the criminal-other case type may reflect sampling error due to the small number of criminal-other cases.

G. Number of Filings

As discussed above in Section E, it was necessary to standardize the filing counts across the state because of different filing practices. For example, one district may count five charges filed against a defendant for the same incident (e.g., passing bad checks on five separate occasions) as five different filings and another district may count those five charges as one filing. In the first instance, the judge will probably deal with all five charges at the same time and dispose of the five filings at the same time. The amount of time it takes the judge in the first county to deal with the five charges will not be any longer than the amount of time it takes the judge in the second county to deal with the five instances of passing bad checks that were filed together. The reporting of the two counties needs to be standardized. Otherwise, it will look like the first county is doing five times the work of the second county in the same amount of time; hence, the bundling of the five charges into one judicial workload unit to standardize the filing counts across the state. The adjusted filings for the 31 districts are shown on lines 2 through 7 of the model in Appendix B.

H. Workload Calculation

The workload is the sum of the individual statewide case weights multiplied by the number of filings for that case type. It is shown on line 9 of the model in Appendix B. The workload is the weighted caseload. It shows the number of minutes required to process the case mix of the particular district. This number can be adjusted to reflect differences in case processing time across the state when a single statewide case weight is used in the calculations. As seen in Section F, many case weights for the rural districts are higher than the statewide case weight because of factors intrinsic to the size of the court. A 15% rural adjustment was added to the workload minutes to correct for this. The rural adjustment is shown on line 10 of the model and the adjusted workload in minutes is shown on line 11 in Appendix B. The adjusted workload measurement was used in the weighted caseload calculations.

I. Judge Year Value

The judge year value is the amount of time an average judge has to process his or her workload in a year. The judge year value was estimated by the steering committee with input from the NCSC consultants. The amount of time the average judge has for case processing was estimated to be eight hours of work a day for 217 days a year which is 104,160 minutes (217 days \times 8 hours \times 60 minutes). The eight-hour workday established by the steering committee does not include time for lunch, breaks, or other interruptions. The judge year value can be found on line 12 of the model in Appendix B. The calculations are shown in Table 7 below.

Table 7. Calculation of Judge Year Value

Available Days	365
<i>LESS</i>	
Weekends	104
Holiday	12
Annual Leave	15
Sick Leave	5
Conferences	12
TOTAL	217 days

The judge year value needs to be adjusted for the amount of time a judge must travel and for the amount of time a judge spends on non-case related work. Both travel time and non-case related work time were tracked in the judicial time-study. Travel times were available for the 12 districts that participated in the time-study and it was necessary to develop a rule that would allow extrapolation of the twelve travel times to the other 19 districts. Travel times were calculated for judges and child support referees. This was done by calculating the average minutes of travel per judge day during the study for each district and characterizing the districts by the number of courthouses in the district. The result was three categories of high travel (5-7 courthouses), medium travel (2-4 courthouses) and low travel (1 courthouse) and these travel times were then applied to the other 19 districts depending on the number of courthouses in the district. The average travel times for the three categories are high travel (9154 minutes a year), medium travel (6225 minutes a year), and low travel (280 minutes per year). These average minutes of travel times are then

subtracted from the judge year value because they represent time NOT available for processing cases. The travel times for the 12 participating districts are shown in Table 8 below. The travel times for all districts is shown on line 13 of the weighted caseload model in Appendix B.

Table 8. Travel Times for the Participating Districts

District	Total # Minutes	Total # Days	Average Minutes /Year / Judge	# Court- houses	Travel Category
2	2868	132	4715	3	Medium
4	6558	149	9551	4	Medium
6	0	270	0	1	Low
13	3226	86	8140	7	High
16	1084	124	1897	2	Medium
19	3281	101	7049	2	Medium
20	150	406	80	1	Low
22	3550	112	6878	4	Medium
25	3655	78	10,168	5	High
26	1620	109	3225	3	Medium
29	1900	57	7233	2	Medium
30	1715	491	758	1	Low

Non-case related work also needs to be subtracted from the judge year value. The number of minutes spent on non-case related work was calculated for three types of judicial resources; presiding judges, judges, and judicial officers. The results shown in Table 9 below show that presiding judges spend an average of 80 minutes per day on non-case related work, judges spend 57 minutes per day on non-case related work, and judicial officers spend an average of 68 minutes per day on non-case related work. The three values were weighted to develop a statewide average for the amount of time spent on non-case related work. The average amount of non-case related work time per judge is 13,243 minutes per year or approximately 61 minutes per day. This amount is subtracted from the judge year value because it is time that is not available for processing cases. The amount of minutes subtracted for non-case related work is shown on line 14 of the weighted caseload model in Appendix B.

Table 9. Calculation of Non-Case Related Work Minutes

Judge Type	# Minutes	# Judge Days	Minutes Per Day	Minutes Per Year	# Persons	% of Total	Weighted Minutes
Presiding Judge	21,207	266	80	17,300	11	.13	2249
Officer	103,274	1799	57	12,457	68	.80	9960
Officer	11,776	174	68	14,686	6	.07	1028
Total	136,257	2239					13,243

J. Judicial Resource Count

The number of judicial resources, i.e., the number of judges (including chancellors) and judicial officers (i.e., child support referees) currently allotted to the judicial districts was obtained from the Tennessee AOC. There are ten child support referees currently in the Tennessee Judicial System. For purposes of the weighted caseload model, child support referees were counted as .75 FTE even though they are full-time employees and do work a full day. The rationale for assigning them a .75 FTE is that due to the specialized nature of their work they are not as flexible as a judge in assisting with the judicial caseload.

Every Tennessee county has at least one Clerk and Master and some of them assist in the judicial workload. For example, the Clerk and Master may hear probate cases. In the larger districts, the Clerk and Master (or Special Master) may assist full-time with the judicial workload of the district. Clerk and Masters who assist with the judicial caseload in the sample districts participated in the time-study. The results show that some assist full-time, some assist three-fourths time, some assist half-time and some assist less than that. Due to the difficulty of quantifying the Clerk and Master time and extrapolating it to the other non-participating districts, it was decided to include the Clerk and Master assistance with the judicial workload as a qualitative measure. If a Clerk and Master worked half-time or more assisting with the judicial workload, the number of judicial resources was qualified with a *yes* for Clerk and Master assistance. For those districts not participating in the time-study, telephone calls were made to the Clerk and Masters in those districts to ascertain the amount of Clerk and Master assistance.

The Tennessee general jurisdiction trial court system received an additional eight judgeships as of September 1, 1999.⁷ Appendix B-1 shows the model without the additional eight judges and Appendix B-2 shows the model with the additional eight judges. The current number of judges is shown on line 16 of the model, the prorated number of child support referees is shown on line 17, the total number of judicial resources are shown on Line 18, and the assistance of the Clerk and Masters is shown on line 21 in Appendix B.

K. Required Judicial Resources

The number of judicial resources required to process the workload of each district is calculated by dividing the adjusted workload (line 11) by the adjusted judge year value (line 15). The result is the number of FTE judicial resources (i.e., judges, chancellors, child support referees) required to process the workload of the judicial district. The number of judicial resources required is shown on line 18 of the model in Appendix B.

L. Comparison of Actual vs. Required Judicial Resources

A positive number in line 20 of the model in Appendix B shows excess judicial resources and a negative number shows a deficit of judicial resources as estimated by the weighted caseload model. A comparison of the number of judicial resources allotted to the Tennessee Judicial System and the number of required judicial resources shows that 147.76 FTE are needed to process the workload of the state and there are currently 158.5 FTE judicial resources, a difference of 10.74 FTE (see line 20 of Appendix B-2). In other words, the Tennessee Judicial System at this point in time appears to be *overjudged* by 10.74 FTE, a 7% excess. This does not necessarily mean that Tennessee Judicial System has 11 judges too many because many of the districts show a requirement for a fraction of a judge. Also, the version of the model shown in Appendix B-2 was constructed with 1997/1998 filings numbers and 1998/1999 judicial resource numbers. It is probable that filings will increase during the 1998/1999 fiscal year and the difference between actual and required judicial resources will shrink. The version of the model shown in Appendix B-1 reflects the situation in 1997/1998 before the eight judgeships were added.

⁷ The judicial districts that received an additional judge as of September 1, 1998 are Districts 4, 13, 15, 16, 20, 21, 22, and 26.

It also is necessary to consider whether any of the Clerk and Masters in the district are assisting with the judicial caseload. A district that shows a deficit of judicial resources when judicial FTE are examined, such as District 6⁸, may have enough judicial resources when the assistance of the Clerk and Master is included in the judicial FTE. Quantitative statewide information was not available regarding the amount of time the Clerk and Masters spend on judicial caseload rather than Clerk duties. Rather, if there was a Clerk and Master who reported that he or she spent more than one-half of his or her time on judicial duties, a *yes* was inserted on line 21 in the weighted caseload model in Appendix B.

Thirteen of the 31 judicial districts in Tennessee have their court bifurcated into circuit (i.e., civil) and criminal courts. It was possible to calculate the workload separately for the civil (i.e., civil, domestic, and probate) and criminal (i.e., felonies, misdemeanors, and criminal-other) case types. The number of judicial FTE needed to process the civil⁹ weighted caseload is listed on line 23 and FTE needed to process the criminal weighted caseload is listed on line 24 of the weighted caseload model in Appendix B. Table 10 below shows the comparison of the number of judges allotted to each court and the number of judges needed to process each caseload.

Table 10. Actual and Required Civil* and Criminal Judicial Resources as of September 1, 1998

District	1	2	3	6	8	9	10	11	13	15	18	20	30
Civil-Actual	3	3	4	7	2	2	4	6	3	3	2	11	14
Civil-Required	2.78	2.72	3.86	10.07	2.32	1.35	3.60	6.48	2.59	2.04	2.46	12.03	12.66
Civil Difference	.22	.28	.14	-3.07	-.32	.65	.40	-.48	.41	.96	-.46	-1.03	1.34
Criminal-Actual	2	1	1	3	1	1	1	3	2	1	1	4	10
Criminal-Required	1.40	.99	.96	1.23	.69	.53	1.12	1.78	1.20	1.19	.76	4.55	9.73
Criminal-Difference	.6	.01	.04	1.77	.31	.47	-.12	1.22	.8	-.19	.24	-.55	.27

*Civil judicial resources include Circuit Court and Probate Court Judges and Chancery Court Chancellors.

Several of the districts appear to have an imbalance in their civil and criminal allocations. For example, both Districts 6 and 11 appear to be overjudged in criminal and underjudged in civil. Conversely, District 15 appears to be overjudged in civil. An excess of judges in criminal court may reflect a judicial and community desire for faster case processing in criminal cases.

⁸ District 6 also has a retired judge assisting part-time with the domestic caseload.

V. Interpretation of the Tennessee Weighted Caseload Model

A. Judicial FTE Needs Estimated by the Model

The judicial weighted caseload model for Tennessee estimates that 147.76 judicial FTE were needed to process the 1997/1998 case filings. In 1997/1998, the Tennessee general jurisdiction trial courts had 143 judges and 7.5 child support referees, for a total of 150.5 judicial FTE (assuming that a child support referee is .75 of a judicial FTE because of their specialization) – a difference of 2.74 FTE. On September 1, 1998 eight new judgeships were added to the Tennessee general jurisdiction trial courts for a total of 158.5 FTE. This is a difference of 10.74 FTE between the actual and required judicial resources on a statewide basis. This difference between actual and required judicial resources on a statewide basis will shrink if the assumption is made that the number of filings will increase during the 1998/1999 fiscal year.

Some districts show a slight excess or slight deficit of judicial resources. Does the Tennessee weighted caseload model mandate that one or two judges be subtracted from District 9 or that one or two judges be added to District 16 or District 20? Not necessarily. Besides the qualitative factors that are used to temper the quantitative model (discussed in the next section), there are three important points to remember when interpreting the results of a model: (1) a model can only approximate the real world; (2) numbers, especially numbers with decimal points, convey a false sense of quantitative certainty; and (3) all models contain a certain amount of unavoidable uncertainty or *noise*. The judicial FTE estimated by the model is an accumulation of several steps where numbers were estimated. All the input variables to the model; the case weights, the number of filings, the number of judicial sick days, the amount of time spent at judicial conferences, the amount of district travel time, etcetera were all determined by the best available means. However, it must be recognized that even the best measures are not exact. The fact that the estimated judicial FTE is so close to the actual judicial FTE shows that the amount of uncertainty or noise here is minimal. The required judicial FTE estimated by the model must be seen as an approximation of the *true* judicial need because there are qualitative factors that can affect the determination of judicial resource needs.

⁹ Includes Circuit Court, Chancery Court, and Probate Court caseload.

B. Qualitative Factors Affecting the Determination of Judicial Resources

Qualitative factors also can affect judicial resource needs. There can be legal *cultural* differences that result in some case types taking longer in some districts within a single state. For example, the practice styles of local attorneys often have a significant impact on case processing times. What might be considered an efficient presentation to a court in a larger city might be considered too rushed in a less pressured environment. The dynamics of local scheduling practices can also influence the interpretation of the model. In a smaller court, something as trivial as one defendant who fails to appear may waste a good part of a judge's morning if there is not other court business that can be dealt with while the judge is waiting. Another qualitative factor to consider when interpreting the model is that the more rural areas may require additional FTEs than the model estimates to provide reasonable access to judicial services.

Another qualitative factor that needs to be considered is the economies of scale that may affect the interpretation of the model. Usually in the more populated districts and larger urban courts there exists economy of scale effects that are reflected in faster processing times and the ability to process more cases in a judge year because these larger courts have the ability to work more efficiently. For example, a larger court can have a judicial division of labor that leads to specialization. This economy of scale effect is not that pronounced in the Tennessee model. There is not much difference in case processing times between the urban courts and the transitional courts. This is a different phenomenon than has been seen in other similar weighted caseload studies where the urban districts have a significant economy of scale, i.e., an ability to process a greater number of cases per judge.

While a weighted caseload model provides a baseline from which to establish the need for judges, no set of statistical criteria will be so complete that it encompasses all contingencies. In addition to the statistical information, individual characteristics of the courts must be examined before any changes to a court's judicial complement are recommended. The outline below describes a general procedure that can be undertaken if the weighted caseload estimates indicate a particular court is over- or underjudged.

1. Determine whether the judges and administrative staff of the particular court believe they need additional judicial resources through a systematic procedure to solicit local opinion. Input also should be sought from the state or local court administrator,

members of the bar, and other local leaders. A procedure should be established to obtain local input in writing.

2. Examine caseload trends over time to determine whether caseloads are increasing, decreasing, or remaining steady. Attention also should be paid to whether the court has an unusual caseload mix.
3. Review court organization to ensure that the court is structured and managed to make the most effective use of additional resources.
4. Explore options that will address concern over judicial workload without increasing the number of permanent, full-time judges. Options include (a) making greater use of judicial officers, (b) hiring retired judges on a part-time or contractual basis, (c) using alternative dispute resolution, and (d) simplifying the procedures for less complex cases.
5. Keep in mind that judicial productivity, and hence the need for new judges, also depends on the effectiveness of court staff and the available technology. Without the proper type and level of support, judges may be performing some tasks that could be delegated to qualified staff or perhaps new court technology could support more efficient administrative procedures (e.g., case screening, case clustering, and case tracking).

The weighted caseload approach provides an objective measure of the judicial resources needed to resolve cases effectively and efficiently. Like any model, it is most effective as a *guide* to workloads, not a rigid formula. The numbers need to be tempered by a qualitative assessment that must be an integral part of any judicial workload assessment.

VI. Keeping the Weighted Caseload Model Current and Future Use of the Model

In the absence of any significant changes in case processing, court structure, or jurisdiction in the Tennessee Judicial System, the case weights developed during the course of this study should be accurate for many years. But periodic updating is necessary to ensure that the case weights continue to accurately represent judicial workload. Over time, increased efficiency, statutory or procedural changes, or implementation of various caseflow management initiatives may result in significant changes in case processing. There should be no reason to redo the study or to undertake a complete, statewide sampling of time-study data. Instead, efforts should be made to identify only

those case types for which time data may have changed significantly from the initial study results. Relatively small-scale samples then can be taken from certain judges in districts from across the state to assess whether any adjustments to certain case weights are warranted.

The weighted caseload model is a tool that can be used effectively in judicial resource management. The 1997/1998 filings data were used to validate the model. The real power of the model lies in its applicability in predicting future judicial resource needs with caseload projection analysis.

VII. Conclusion

The study results indicate that the Tennessee weighted caseload model is sound and valid and that the model can be used to enhance judicial resource management in the state. There are several reasons for this. The first reason is the high level of participation (92% overall) by the judges in the time-study data collection. The cooperation of the judges, chancellors, and judicial officers in the time-study data collection was absolutely crucial to the success of the study. They took their roles very seriously and were conscientious in recording their judicial times even though it did add extra time to their workload. The second reason to have confidence in the weighted caseload model is the fact that the data were optically scanned and electronically transferred from the recording sheets to the statistical database. This leads to increased accuracy in data entry. The third reason why the study is sound and valid is the high quality of the filings and disposition data obtained from the Tennessee AOC. The Tennessee AOC took the occasion of the weighted caseload study to further standardize their already excellent statewide case reporting system to have all districts count filings and dispositions in the same way. Not only did this allow the data to be used in the weighted caseload study, but it will allow future filings to be input into the model to estimate future judicial resource needs. The fourth reason to have confidence in the model is that the large amount of data collected during the six-week study period made the likelihood of sampling error minimal. Most importantly, when the model was applied to last year's filings, the model was a very good fit with the number of judicial FTE at the time. This corroboration is the culmination of the conscientious judicial recording, the accurate transfer of data from the recording form to the database, the high quality of filings and disposition data, and the large amount of data collected. The state of Tennessee can be confident in its use of the weighted caseload model.

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We also would like to thank Ephanie Blair, Tami Chapin, Cindy Dietrich, and Ruth Longwell of the Court Services Division at the National Center for State Courts for help with the multitude of tasks that a study of this size engenders. Thanks are also due to Laura Klaversma, Client Services Manager, and Jim Thomas, Vice-President, of the Court Services Division of the National Center for State Courts for their quality assurance assistance with this report.

EXECUTIVE SUMMARY

- The Comptroller of the Treasury of the State of Tennessee retained the consulting services of the National Center for State Courts in May 1998 to conduct separate, but coordinated weighted caseload studies of the judicial, public defender, and district attorney general resources to provide quantitative documentation of the resource needs in the general jurisdiction state trial courts.
- The National Center for State Courts subcontracted with The Spangenburg Group to conduct the Public Defender Study and the American Prosecutors Research Institute to conduct the District Attorney General Study.
- Data collection for the judicial disposition-based weighted caseload study took place in October and November of 1998. The National Center for State Courts coordinated and monitored the judicial time-study in twelve representative districts across Tennessee.
- Seventy-nine judges (including chancellors), four child support referees, five Clerk and Masters, a Special Master, and a retired part-time judge completed 10,986 time-study recording forms (representing 34,299 events) for eight categories of case types.
- Standardized filings and disposition data from the 1997/1998 reporting year and the study period were provided by the Tennessee Administrative Office of the Courts.
- A judicial subcommittee of the steering committee composed of the Director of the Administrative Office of the Courts, judges, the state bar, and the legislature contributed estimates of judicial annual leave, sick leave, conference time, and the length of the work day.
- The weighted caseload model for the Tennessee general jurisdiction trial courts estimates that 147.76 judicial FTEs were needed to process the 1997/1998 case filings.
- There is an overall excess of 2.74 judicial FTEs (counting child support referees at .75 FTE) statewide using 1997/1998 filings and 1997/1998 judicial resource numbers.
- There is an overall excess of 10.74 judicial FTEs (counting child support referees at .75 FTE) statewide using 1997/1998 filings and 1998/1999 judicial resource numbers.
- The validation of the Tennessee weighted caseload model on the 1997/1998 filings supports the statistical validity and soundness of the model for judicial resource management.
- The quantitative weighted caseload model must be tempered with qualitative considerations and interpreted within the social, cultural, and political framework of Tennessee.



19753

Tennessee Judge Recording Form

 For
NCSC
use only

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Judge 0 1 2 3 4 5 6 7 8 9 ○	County 0 1 2 3 4 5 6 7 8 9 ○	Month 10 ○ 11 ○	Date 0 1 2 3 4 5 6 7 8 9 ○ ○ ○ ○ ○ ○ ○ ○ ○ ○ ○ ○ ○ ○
Case Type <input type="radio"/> Civil <input type="radio"/> Domestic <input type="radio"/> Civil Appeals <input type="radio"/> Probate <input type="radio"/> Felonies <input type="radio"/> Misdemeanors <input type="radio"/> Criminal Appeals <input type="radio"/> Criminal - Other	Event <input type="radio"/> Pre-Trial Hearings / Motions <input type="radio"/> Bench Trial / Juv Adjud <input type="radio"/> Jury Trial <input type="radio"/> Adjudication/Non-Trial Disp Hrgs <input type="radio"/> Post-Trial / Adj / Disp Hrgs <input type="radio"/> Case-Related Admin <i>Volume does not apply</i> <input type="radio"/> Non - Case Admin <i>Volume and Case Type do not apply</i> <input type="radio"/> Travel <i>Volume and Case Type do not apply</i>	Elapsed Minutes 0 ○ ○ ○ ○ 1 ○ ○ ○ ○ 2 ○ ○ ○ ○ 3 ○ ○ ○ ○ 4 ○ ○ ○ ○ 5 ○ ○ ○ ○ 6 ○ ○ ○ ○ 7 ○ ○ ○ ○ 8 ○ ○ ○ ○ 9 ○ ○ ○ ○	Volume 0 ○ ○ 1 ○ ○ 2 ○ ○ 3 ○ ○ 4 ○ ○ 5 ○ ○ 6 ○ ○ 7 ○ ○ 8 ○ ○ 9 ○ ○
Disposition? <input type="radio"/> Yes <input type="radio"/> No		Be sure to right justify !!	

Tennessee Weighted Caseload Study Judicial Recording Form Instructions

General Instructions

The recording form is designed to record the time spent on the various activities (events) associated with different types of cases. The top portion of the form is used to record identifying information that will be used for tracking and validation. Information to be recorded includes: participant's number, county number, and date. The remaining sections of the form are designed to record the specific type of case for which work is being performed, the event or activity being performed, the amount of time spent on the event, the volume (number) of events that occurred, and whether the case was disposed during the event.

In general, one form should be completed for each event and each case type. In other words, each time a participant starts a new activity (event) or begins work on a new case, a new form must be started. However, a multi-day trial would be recorded on only one form. In other weighted caseload studies, judges filled out between six and ten forms a day on average.

Activity outside the courtroom, as well as time spent working at home or on the weekends, should be reported. Do not record time for lunch, breaks, and personal time during the day. Also, time spent traveling to or attending committee meetings, seminars, continuing education, or bar association events should not be recorded.

It is important when completing each form to:

- Use a black pen (one is provided) and fill in circles completely (do not use a check mark or X).
- Fill in the appropriate circles to indicate case type, event, disposition, the elapsed minutes, and volume. Be sure to do this contemporaneously with the event and not at the end of the day because it is important to account for all time spent during the day.
- Fill in the identifying information in the top half of the form. This can be done ahead of time or at the end of the day to facilitate the data collection.

These forms will be optically scanned. This means that forms should NOT BE FOLDED, BENT AT THE EDGES, STAPLED, WRITTEN ON, WHITENED OUT or MUTILATED. It is okay to paper clip the sheets together.

Group your forms by the day and mail them with your weekly notation log at the end of every Friday to:

**Karen Gottlieb – Judges Study
National Center for State Courts
1331 17th Street, Suite 402
Denver, CO 80202-1554**

If you have any questions concerning the recording of time on this form, please contact Karen Gottlieb, National Center for State Courts, Denver – **800-466-3063, ext. 4304 or 303-293-3063.**

Do not copy (xerox) the recording forms. Extra recording forms are available from Holly Kirkham at the Administrative Office of the Courts at 615-741-2687. Because the forms are optically scanned, the copying process must be exactly done and it is not recommended that you make your own copies.

Specific Instructions

On each form you will need to fill in:

1. **JUDGE:** This is your identification number that is listed on your brown envelope.

For example, identification number 34:

Correct

Judge

0 1 2 3 4 5 6 7 8 9

○ ○ ○ ○ ○ ○ ○ ○ ○ ○

○ ○ ○ ○ ○ ○ ○ ○ ○ ○

Incorrect

Judge

0 1 2 3 4 5 6 7 8 9

○ ○ ○ ○ ○ ○ ○ ○ ○ ○

○ ○ ○ ○ ○ ○ ○ ○ ○ ○

For example, identification number 8:

Correct

Judge

0 1 2 3 4 5 6 7 8 9

○ ○ ○ ○ ○ ○ ○ ○ ○ ○

○ ○ ○ ○ ○ ○ ○ ○ ○ ○

Incorrect

Judge

0 1 2 3 4 5 6 7 8 9

○ ○ ○ ○ ○ ○ ○ ○ ○ ○

○ ○ ○ ○ ○ ○ ○ ○ ○ ○

2. **COUNTY:** Enclosed is a sheet that lists all the county codes. These county codes are the same codes used by the Tennessee Administrative Office of the Courts. The county code is the county in which you are performing the activity. When traveling from one county to the next, mark the county you are traveling TO. For example, county 65 would be coded this way:

County

0 1 2 3 4 5 6 7 8 9
☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐
☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐

3. **MONTH AND DATE:** Fill in the month and date for each sheet. For multi-day events like trials, fill in the first day. For example, October 17th would be:

Month

☐ 10
☐ 11

Date

0 1 2 3 4 5 6 7 8 9
☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐
☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐

4. **CASE TYPE:** Record a case type for all events except case-related administration, non-case administration, and travel. Only one case type is to be marked per sheet. Check the definition sheet for case types to see what is included in each case type category.

If the case represents an incident for which multiple charges are filed, such as a felony and a misdemeanor, mark the case type that corresponds to the **HIGHER, MORE SERIOUS** charge. Also, if a person is charged with two or more felonies, for example, only fill out one form. When a charge is reduced, it is very possible that the case type will change. In order to code such occurrences consistently, the following guidelines are to be applied.

When a charge reduction involves a plea to a lower charge, and the case is disposed at the lower charge, the initial case type is used to code the entire set of activities that led up to the disposition. This includes sentencing, even if sentencing occurs at a later date. The case type code that corresponds to the lower charge is never used in such a circumstance.

If the indictment is amended and does not involve a plea and the case continues before the court on the lower charge, the initial case type code is applied to all activities up to and including the court appearance where the charge reduction takes place. However, any subsequent activities involved in working on that case are coded according to the lower charge.

5. EVENT: Only one event is to be marked per sheet. Check the event definition sheet to see what activities are included within each event category.

All time spent working during the day is recorded. Thus, the event category includes three events that are out-of-court based: (1) Case-Related Administration, (2) Non-Case Administration, and (3) Travel.

These events do not have a volume associated with them. They are measured by the total number of minutes spent on each event per day. Thus, it does not matter if you keep track of all your case-related administration time (or non-case administration) for one day and record it all on one form or do several forms during the day. Case-related administration usually has a case type coded along with it. However, there may be times when it becomes too burdensome to track case-related administration by case type. For example, you may spend 30 minutes returning phone calls at the end of the day. All the calls are case-related but they are different case types. In this instance, record 30 minutes of case-related administration and do not record a case type.

Non-case administration never has a case type associated with it. Use this event code for all work that is not case-related.

6. ELAPSED MINUTES: The number of minutes the event took.

- *Remember to convert hours to minutes* (an event that took 1 hour 15 minutes should be coded as 75 minutes, an event that took 2 hours should be coded as 120 minutes) and
- *Remember to right justify the numbers.* You do not have to fill in the leading zeros, but you do have to right justify the numbers. For example, 90 minutes would be:

Correct	Incorrect
Elapsed Minutes	Elapsed Minutes
0 ○ ○ ○ ○	0 ○ ○ ○ ○
1 ○ ○ ○ ○	1 ○ ○ ○ ○
2 ○ ○ ○ ○	2 ○ ○ ○ ○
3 ○ ○ ○ ○	3 ○ ○ ○ ○
4 ○ ○ ○ ○	4 ○ ○ ○ ○
5 ○ ○ ○ ○	5 ○ ○ ○ ○
6 ○ ○ ○ ○	6 ○ ○ ○ ○
7 ○ ○ ○ ○	7 ○ ○ ○ ○
8 ○ ○ ○ ○	8 ○ ○ ○ ○
9 ○ ○ ○ ○	9 ○ ○ ○ ○

7. **VOLUME:** Volume is the number of events of the same type that occurred within the same time period reported when other factors (case type and disposition) are also the same.

- If the volume is 1, you do NOT need to fill in the volume column.
- However, if the volume is more than 1, fill in the appropriate number (remember to right justify).

For example, if you do 3 arraignments in a row that have the same case type and they take 15 minutes all together, code a 15 for the elapsed minutes and 3 for the volume. Multiple cases can only be recorded on the same form when they all involve the same case type, same event, and the same disposition code (all yes or all no).

Do not record “volume” for “case-related administration,” “non-case administration,” or “travel” time.

8. **DISPOSITION:** If the activity/event you have recorded ended in a final disposition, indicate this by entering “yes” for the disposition code. If Volume is more than 1, then all cases must have the same final disposition code. A final disposition is the event that concludes all courtroom work on a case, i.e., a final judgment if the case has been disposed at a court hearing. Some final dispositions will not involve courtroom work, i.e., they will be settled or dismissed without a court hearing. In these cases, the final disposition is the signing of the order for dismissal.

October 9, 1998

To the judges participating in the Tennessee Judicial Weighted Caseload Study:

Thank you for your participation in the Tennessee Judicial Weighted Caseload Study. We truly appreciate the extraordinary effort the study will entail on your part. We want to emphasize the importance of your role in the data collection.

During the first week of the data collection, many questions have been brought to our attention by the judges and the hardworking staff of the Administrative Office of the Courts. We have put together this addendum to the instructions with the collaboration of the Administrative Office of the Courts' staff. We hope this will clarify areas needing further attention.

The project staff from the National Center for State Courts will be visiting you during the week of October 12th to answer any questions about the study or the data collection process.

Thank you again.

Fred Miller

Karen Gottlieb

John Douglas

**Tennessee Weighted Caseload Study
Judicial Recording Form Instructions
Clarification and Amendments**

Points to keep in mind when you are not sure how to code an event or disposition

- We want to count all dispositions that occur while you are participating in the study. But we do not want to count any dispositions twice.

GUIDELINE #1: Orders that are NOT dispositive are coded as *case-related administration*.

Example 1: You have a hearing on a motion to dismiss and you grant the motion. The next day the attorney or your clerk brings you the order to sign. On the first day, code that hearing as an *adjudication/non-trial disposition hearing* for the *event* and mark *disposition* as *yes*. Code the number of minutes the event took. Signing the order the next day is part of *case-related administration* and you would code *disposition* as *no* because you have already coded the disposition the day before. Code the number of minutes it took to sign the order (ideally there would be many orders to sign and you would group them). There is no need to mark volume because there is no volume in case-related administration.

Example 2: You have a stack of orders to sign. They are all final orders on settlements, defaults etc. in which you did not have a hearing. Code the *event* as *adjudication/non-trial disposition hearing* and mark *disposition* as *yes*. Code the number of minutes it took to sign the stack of orders and code the number of orders you signed as the volume. Only one form is needed for signing the stack of orders assuming the case type is all the same, e.g., civil. Use a new form for each additional case type. It does not matter if you are signing the orders in chambers or the courtroom.

Example 3: You have a stack of orders to sign. Some are final orders on settlements, defaults etc. in which you did not have a hearing and the others are final orders in which you did have a hearing. At least two forms will be needed to code these; one for the final orders that will be coded as dispositive and one for the final orders that will not be coded as dispositive because these cases were coded as dispositive at the hearing. The first group will be filled out with *event* coded as *adjudication/non-trial disposition hearing* and *disposition* coded as *yes* and the second group will be filled out with *event* coded as *case-related administration* and *disposition* coded as *no*. Additional forms will need to be filled out if there is more than one case type involved.

GUIDELINE #2: Dispositions can occur only in three event categories: (1) bench trial/juvenile adjudication, (2) jury trial, and (3) adjudication/non-trial disposition hearings

Many motions or hearings can be coded either as a *pretrial hearings/motions event* or as an *adjudication/non-trial disposition hearing*. Which one it is depends on whether the motion is granted and results in a final disposition for the entire case.

Example 1: You have a summary judgment motion hearing and you grant the motion and it is dispositive to the entire case. Then it is coded as an *adjudication/non-trial disposition hearing*. But if the motion is denied or only granted to some of the parties, it is coded as a *pre-trial hearing/motion* regardless of the length or complexity or if it is dispositive as to one of the parties.

Example 2: When a ruling on a hearing or motion is taken *under advisement*, then are three different possibilities as to how they are coded:

1) if the motion is not dispositive, e.g., a motion to compel, the event would be a *pre-trial hearing/motion* and the time in chambers would be *case-related administration*. There would be two forms filled out and both would be marked as *disposition is no*.

2) If the motion is dispositive, e.g., a motion to dismiss, but the motion is denied, the courtroom event is still a *pre-trial hearing/motion* and the time in chambers is *case-related administration* with *disposition* marked as *no*.

3) If the motion is dispositive and the motion is granted after having been taken under advisement, the courtroom event is still a *pre-trial hearing/motion* because at the time of the hearing you did not know if you were going to grant or deny the motion. The time in chambers, including the signing of the order, is an *adjudication/non-trial disposition event* and *disposition* is *yes*.

Example 3: A revocation of probation hearing should be coded as a *pre-trial hearing/motion* if denied and an *adjudication/non-trial disposition* if it is granted.

GUIDELINE #3: Case-relation administration does not *usually* take place in the courtroom.

Example: You take time in the morning to call your docket for the day. You may call 40-50 cases and a number of them have to be reset for another day. These are all *pre-trial hearings*, not *case-related administration*. They can be grouped together on one form per case type.

GUIDELINE #4: A disposition for the purpose of this study is counted so as to minimize double-counting of dispositions. In some cases, this may mean that a disposition is counted before the case is counted as a disposition by the Administrative Office of the Courts.

Example 1: You have a default in a civil case and there will be a damages hearing later. Count the default as a dispositional event; an *adjudication/non-trial disposition hearing* and code *disposition* as *yes* and code the damages hearing as a *post-trial/post-adjudication/post-disposition hearing* and *disposition* as *no*. (We realize that in many cases, damages in a case may be determined at the same time as the original hearing. In this instance, all that time is coded under *adjudication/non-trial disposition hearing*.)

Example 2: When you take a guilty plea and set the case for a sentencing hearing in the future; code the guilty plea as the disposition (code *event* as *adjudication/non-trial disposition* and code *disposition* as *yes*) and the sentencing hearing as a *post-trial/post-adjudication/post-disposition hearing event* and *disposition* as *no*. However, if you take a guilty plea and sentence at the same event, code all the time as *adjudication/non-trial disposition*.

Example 3: If one defendant has three counts/charges and is convicted on two and the other is declared a mis-trial or otherwise dismissed, that is coded as one disposition.

Example 4: Pre-trial diversion activities are coded in two different ways depending if a plea was taken or not. When a guilty plea is made (e.g., ---+--+* on condition of attending a drug program), count the dispositional event when the plea is taken, i.e., an *adjudication/non-trial disposition hearing*. All other activity in the case is coded as *post-trial/post-adjudication/post-disposition hearings*. When a defendant is accepted into a pre-trial diversion program and the plea is in abeyance, all activity until the completion of the diversion program is *pre-trial hearings/motions*. The disposition is coded when the defendant has successfully completed the diversion program and it is coded as an *adjudication/non-trial disposition hearing*.

GUIDELINE #5: If in doubt as to how to record time, code how the clerks report the cases.

Example 1: If a child support case involves one father and multiple mothers and children, the volume would be the number of petitions filed.

Example 2: When a domestic case is re-opened, if the clerk assigned it a new “R” number, it is not a *post-trial/post-adjudication/post-disposition hearing*, but should be coded as to whatever event it is (*pre-trial hearing/motion, bench trial, adjudication/non-trial disposition*).

Example 3: When a person is in front of a judge for multiple charges; e.g., a probation violation, new charges, and old charges, and all charges are disposed of at the hearing, count that hearing event type as *adjudication/non-trial disposition, disposition* as *yes*, and *volume* as three dispositions.

Example 4: When you have five co-defendants and two plea guilty, one pleas not guilty, and two do not show up for the pre-trial hearing and bench warrants are issued; code the two guilty pleas on one sheet (event is *adjudication/non-trial disposition, disposition* is *yes*, the number of minutes to take the pleas and volume is 2) and the other three as *pretrial hearings/motions*.

GUIDELINE #6: Time is only to be recorded in the counties that are participating in the study.

Example 1: If a judge fills in for another judge in a county that is participating in the study (check the pink County Code sheet), fill out all forms as if you are in your home county EXCEPT code the county that you are in. In an interchange situation within counties participating in the study, count travel time to the courthouse separately on another form. Please note the fact of the interchange on the blue sheet for the week.

Example 2: If a judge fills in for another judge in a county that is NOT participating in the study, do not record any information. Please note the time you were away from your district on the blue sheet for the week.

GUIDELINE #7: Events that *usually* take place before a trial are to be coded as outside the trial time (e.g., as case-related administration or pre-trial hearing) even if in this instance they take place within the trial.

Example 1: If you hear an *in limine* motion right before the trial begins, count the motion as a *pre-trial hearing/motion* and not as part of the trial.

Example 2: Reading depositions during a trial counts as *case-related administration* and not part of the trial.

Additional points

- If you had a *jury trial* in progress at the beginning of the study, we would like to know the total number of minutes for the trial if you can reconstruct the number of pre-study minutes because jury trials are fairly rare events and will not occur too often during the study. If it is not possible to reconstruct the number of minutes pre-study, it is not necessary to record the event. If you do record a jury trial that began pre-study, do not put a start date. Note this pre-study *jury trial* on the blue sheet for the week.
- Research for the judicial research committee should be coded as *non-case administration*.
- Other civil non-trial dispositions are: default, divorce by affidavit, irreconcilable differences divorce, minor settlements, uncontested guardianships, uncontested conservatorships, workers compensation hearings, and other administrative hearings.
- Contested judicial hospitalizations are to be coded as *bench trials* and uncontested judicial hospitalizations are to be coded as *adjudication/non-trial dispositions*.
- Under *non-case administration*, do NOT include time spent attending STATEWIDE committee meetings, continuing education, or conferences and seminars, but DO include time spent attending local committee meetings, continuing education, and conferences and seminars.

- Do NOT record travel time to *statewide* functions, but DO include travel time to local functions coded under non-case administration.

TENNESSEE WEIGHTED CASELOAD MODEL*

			<i>District</i>	<i>District</i>	<i>District</i>	<i>District</i>	<i>District</i>	<i>District</i>	<i>District</i>	<i>District</i>	<i>District</i>	<i>District</i>
		<i>Case Weight</i>	<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6</i>	<i>7</i>	<i>8</i>	<i>9</i>	<i>10</i>
	<i>Case type</i>											
1												
2	Civil	90	1,356	1,114	1,544	1,897	718	5,794	683	954	806	1,640
3	Domestic	43	2,307	1,910	2,631	2,709	1,503	6,764	1,280	1,270	542	2,361
4	Probate	80	224	737	500	215	9	1,540	336	379	56	246
5	Felonies	65	1,362	939	741	789	360	1,049	196	604	465	1,059
6	Misdemeanors	30	719	206	631	248	113	972	158	269	230	278
7	Criminal Other	59	145	285	57	204	83	247	96	31	32	89
8	<i>Total 97-98 Filings</i>		<i>6,113</i>	<i>5,191</i>	<i>6,104</i>	<i>6,062</i>	<i>2,786</i>	<i>16,366</i>	<i>2,749</i>	<i>3,507</i>	<i>2,131</i>	<i>5,673</i>
9	Workload		357,816	325,380	362,551	375,178	161,656	1,047,430	166,534	219,949	139,339	351,229
10	Rural Adjustment (+)				54,383	56,277	24,248		24,980	32,992	20,901	52,684
11	<i>Adjusted Workload</i>				416,934	431,455	185,904		191,514	252,941	160,240	403,913
12	Judge Year		104,160	104,160	104,160	104,160	104,160	104,160	104,160	104,160	104,160	104,160
13	Travel Adjustment (-)		6,225	6,225	6,225	6,225	280	280	280	9,154	6,225	6,225
14	Non-Casework Adjustment (-)		13,243	13,243	13,243	13,243	13,243	13,243	13,243	13,243	13,243	13,243
15	<i>Adjusted Judge Year</i>		84,692	84,692	84,692	84,692	90,637	90,637	90,637	81,763	84,692	84,692
16	# Judges		5	4	5	5	2	10	2	3	3	5
17	# Child Support Referees (+)		0	0.75	0.75	0.75	0	0.75	0	0.75	0.75	1
18	<i>Total Judicial Resources</i>		5.00	4.75	5.75	5.75	2.00	10.75	2.00	3.75	3.75	6.00
19	Judicial Resources Needed		4.22	3.84	4.92	4.43	2.05	11.56	2.11	3.09	1.89	4.77
20	<i>Actual FTE - Required FTE</i>		<i>0.78</i>	<i>0.91</i>	<i>0.83</i>	<i>1.32</i>	<i>-0.05</i>	<i>-0.81</i>	<i>-0.11</i>	<i>0.66</i>	<i>1.86</i>	<i>1.23</i>
21	Clerk & Master Available?***		<i>?</i>	<i>yes</i>	<i>?</i>	<i>no</i>	<i>no</i>	<i>yes</i>	<i>?</i>	<i>?</i>	<i>?</i>	<i>?</i>
22	Category***		T	T	R	R	R	U	R	R	R	R
23	Civil Resources Needed		2.82	2.85	3.97			10.32		2.40	1.36	3.65
24	Criminal Resources Needed		1.40	0.99	0.96			1.23		0.69	0.53	1.12

* The quantitative weighted caseload model provides a foundation for assessing judicial needs. This quantitative model approximates the need for judicial FTE and it should be tempered with more qualitative, court-specific factors that may differentially affect the need for judges. See Section V for more discussion.

** A yes in this column signifies a Clerk & Master who spends at least half of his or her time assisting with the judicial workload.

*** U = urban (established economic center), T = transitional (significant population gains and/or regional economic center), R = rural.

TENNESSEE WEIGHTED CASELOAD MODEL*

		<i>District</i>	<i>District</i>	<i>District</i>	<i>District</i>	<i>District</i>	<i>District</i>	<i>District</i>	<i>District</i>	<i>District</i>	<i>District</i>	<i>District</i>
		<i>11</i>	<i>12</i>	<i>13</i>	<i>14</i>	<i>15</i>	<i>16</i>	<i>17</i>	<i>18</i>	<i>19</i>	<i>20</i>	<i>21</i>
1	<i>Case type</i>											
2	Civil	3,638	1,149	1,331	447	907	1,713	738	1,182	1,311	8,025	1,273
3	Domestic	4,138	1,965	1,298	1,020	1,253	2,683	1,510	2,000	2,630	5,811	1,752
4	Probate	1,263	164	128	143	145	21	368	465	429	345	376
5	Felonies	1,860	863	980	353	974	2,349	417	852	1,310	5,162	853
6	Misdemeanors	873	769	637	76	638	3,473	26	141	983	1,556	467
7	Criminal Other	244	61	43	33	39	196	43	160	133	519	76
8	<i>Total 97-98 Filings</i>	<i>12,016</i>	<i>4,971</i>	<i>4,417</i>	<i>2,072</i>	<i>3,956</i>	<i>10,435</i>	<i>3,102</i>	<i>4,800</i>	<i>6,796</i>	<i>21,418</i>	<i>4,797</i>
9	Workload	767,880	283,789	271,191	122,702	231,860	539,658	191,212	298,630	387,887	1,412,554	293,925
10	Rural Adjustment (+)		42,568	40,679	18,405	34,779		28,682				
11	<i>Adjusted Workload</i>		326,357	311,870	141,107	266,639		219,894				
12	Judge Year	104,160	104,160	104,160	104,160	104,160	104,160	104,160	104,160	104,160	104,160	104,160
13	Travel Adjustment (-)	280	9,154	9,154	280	9,154	6,225	6,225	280	6,225	173	6,225
14	Non-Case Work Adjustment (-)	13,243	13,243	13,243	13,243	13,243	13,243	13,243	13,243	13,243	13,243	13,243
15	<i>Adjusted Judge Year</i>	<i>90,637</i>	<i>81,763</i>	<i>81,763</i>	<i>90,637</i>	<i>81,763</i>	<i>84,692</i>	<i>84,692</i>	<i>90,637</i>	<i>84,692</i>	<i>90,744</i>	<i>84,692</i>
16	# Judges	9	4	5	2	4	5	3	3	4	15	4
17	# Child Support Referees	0	0.75	0	0	0	0	0	0	0	0	0
18	<i>Total Judicial Resources</i>	<i>9.00</i>	<i>4.75</i>	<i>5.00</i>	<i>2.00</i>	<i>4.00</i>	<i>5.00</i>	<i>3.00</i>	<i>3.00</i>	<i>4.00</i>	<i>15.00</i>	<i>4.00</i>
19	Judicial Resources Needed	8.47	3.99	3.81	1.56	3.26	6.37	2.60	3.29	4.58	15.57	3.47
20	<i>Actual FTE - Required FTE</i>	<i>0.53</i>	<i>0.76</i>	<i>1.19</i>	<i>0.44</i>	<i>0.74</i>	<i>-1.37</i>	<i>0.40</i>	<i>-0.29</i>	<i>-0.58</i>	<i>-0.57</i>	<i>0.53</i>
21	Clerk/Master Available?	<i>no</i>	<i>?</i>	<i>yes</i>	<i>?</i>	<i>?</i>	<i>yes</i>	<i>?</i>	<i>no</i>	<i>no</i>	<i>yes 2</i>	<i>?</i>
22	Category	U	R	R	R	R	T	R	T	T	U	T
23	Civil Resources Needed	6.69		2.61		2.07			2.53		11.02	
24	Criminal Resources Needed	1.78		1.20		1.19			0.76		4.55	

* The quantitative weighted caseload model provides a foundation for assessing judicial needs. This quantitative model approximates the need for judicial FTE and it should be tempered with more qualitative, court-specific factors that may differentially affect the need for judges. See Section V for more discussion.

** A *yes* in this column signifies a Clerk & Master who spends at least half of his or her time assisting with the judicial workload.

*** U = urban (established economic center), T = transitional (significant population gains and/or regional economic center), R = rural.

TENNESSEE WEIGHTED CASELOAD MODEL*

1		<i>District</i>	<i>District</i>	<i>District</i>	<i>District</i>	<i>District</i>	<i>District</i>	<i>District</i>	<i>District</i>	<i>District</i>		
		22	23	24	25	26	27	28	29	30	31	
	<i>Case type</i>										Total	
2	Civil	1,162	693	901	1,160	1,374	664	642	604	8,622	260	46,277
3	Domestic	2,315	1,682	1,311	2,101	2,118	1,305	993	1,233	6,324	699	63,607
4	Probate	280	130	273	526	96	199	316	146	1,537	126	11,373
5	Felonies	1,182	929	580	818	906	297	447	463	10,674	196	34,867
6	Misdemeanors	474	434	88	121	400	60	93	76	3,325	47	17,025
7	Criminal Other	102	138	126	91	52	15	91	16	1,493	34	4,455
8	<i>Total 97-98 Filings</i>	<i>5,515</i>	<i>4,006</i>	<i>3,279</i>	<i>4,817</i>	<i>4,946</i>	<i>2,540</i>	<i>2,582</i>	<i>2,538</i>	<i>31,975</i>	<i>1,362</i>	<i>177,604</i>
9	Workload	323,593	226,643	207,077	298,992	296,372	153,785	162,973	152,378	2,052,519	79,693	
10	Rural Adjustment (+)	48,539	33,996	31,062	44,849		23,068	24,446	22,857		11,954	
11	<i>Adjusted Workload</i>	<i>372,132</i>	<i>260,639</i>	<i>238,139</i>	<i>343,841</i>		<i>176,853</i>	<i>187,419</i>	<i>175,235</i>		<i>91,647</i>	
12	Judge Year	104,160	104,160	104,160	104,160	104,160	104,160	104,160	104,160	104,160	104,160	
13	Travel Adjustment (-)	6,225	9,154	9,154	9,154	6,225	6,225	6,225	6,225	280	6225	
14	Non-Casework Adjustment (-)	13,243	13,243	13,243	13,243	13,243	13,243	13,243	13,243	13,243	13,243	
15	<i>Adjusted Judge Year</i>	<i>84,692</i>	<i>81,763</i>	<i>81,763</i>	<i>81,763</i>	<i>84,692</i>	<i>84,692</i>	<i>84,692</i>	<i>84,692</i>	<i>90,637</i>	<i>84,692</i>	
16	# Judges	4	3	3	4	4	2	2	2	24	1	151
17	# Child Support Referees	0	0.75	0	0	0	0	0	0	0.75	0	8
18	<i>Total Judicial Resources</i>	<i>4.00</i>	<i>3.75</i>	<i>3.00</i>	<i>4.00</i>	<i>4.00</i>	<i>2.00</i>	<i>2.00</i>	<i>2.00</i>	<i>24.75</i>	<i>1.00</i>	<i>159</i>
19	Judicial Resources Needed	4.39	3.19	2.91	4.21	3.50	2.09	2.21	2.07	22.65	1.08	148
20	<i>Actual FTE - Required FTE</i>	<i>-0.39</i>	<i>0.56</i>	<i>0.09</i>	<i>-0.21</i>	<i>0.50</i>	<i>-0.09</i>	<i>-0.21</i>	<i>-0.07</i>	<i>2.10</i>	<i>-0.08</i>	<i>11</i>
21	Clerk/Master Available?	<i>no</i>	<i>?</i>	<i>yes</i>	<i>no</i>	<i>no</i>	<i>?</i>	<i>?</i>	<i>no</i>	<i>no</i>	<i>?</i>	
22	Category	R	R	R	R	T	R	R	R	U	R	
23	Civil Resources Needed									12.92		
24	Criminal Resources Needed									9.73		

* The quantitative weighted caseload model provides a foundation for assessing judicial needs. This quantitative model approximates the need for judicial FTE and it should be tempered with more qualitative, court-specific factors that may differentially affect the need for judges. See Section V for more discussion.

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